

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	09/684,890	ZENTGRAF ET AL.	
	Examiner	Art Unit	
	Stephen L. Rawlings, Ph.D.	1643	

All Participants:

(1) Stephen L. Rawlings, Ph.D.

(2) Vid Mohan-Ram, Ph.D.

Status of Application: _____

(3) _____

(4) _____

Date of Interview: 5 August 2005

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Rejection of claim 18 under 35 U.S.C. 103(a) as unpatentable over Martinez et al., as set forth in the Office action mailed August 13, 2004.

Claims discussed:

13-16, 18, 23-25, and 30

Prior art documents discussed:

Martinez et al. (Cancer Res. 59: 5408-5411, 1999)


Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.


- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


LARRY R. HELMS, PH.D.
SUPERVISORY PATENT EXAMINER

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner telephoned Dr. Mohan-Ram to explain that that rejection of claim 18 under under 35 U.S.C. 103(a) as unpatentable over Martinez et al., as set forth in the Office action mailed August 13, 2004, should not have been withdrawn, since although claim 18 recites that protein is detectable with the monoclonal antibody, the claim is drawn to a process that does not require the use of the antibody in one active step. For reasons of record, therefore, the claimed invention is obvious over Martinez et al. and consequently the rejection should not have been withdrawn. The Examiner and Dr. Mohan-Ram discussed possible remedies, including canceling claim 18. After conferring with the Applicant, Dr. Mohan-Ram authorized entry of an examiner's amendment by which claim 18 will be canceled and claims 13 and 30 will be amended to recite "by contacting the sample with the monoclonal antibody", as opposed to "by using the monoclonal antibody" (claim 13) or "using at least one of [...]" (claim 30).



LARRY R. HELMS, PH.D.
SUPERVISORY PATENT EXAMINER